

Intellectual Property Group of
Pillsbury Winthrop LLP
Attorneys at Law
P.O. Box 10500
McLean, VA 22102

Telephone: (703) 905-2000

Our Facsimile #: (703) 905-2500

FACSIMILE TRANSMISSION

RECEIVED
CENTRAL FAX CENTER

FEB 05 2004

OFFICIAL

TO: UNITED STATES PATENT AND TRADEMARK OFFICEFACSIMILE #: (703) 872-9306No. Pages (Including this page) 9 FAX Opr: MattinglyIF YOU DO NOT RECEIVE CLEARLY ALL PAGES, PLEASE CONTACT US IMMEDIATELYBy Telephone AT: (703)905-2130 (local)
or (703) 905-2000(local)

-v-v-v

USPTO:

PLEASE ACKNOWLEDGE CLEAR RECEIPT OF ALL PAGES INDICATED
ABOVE BY FAXING THIS PAGE BACK TO ONE OF OUR FACSIMILE
NUMBERS STATED ABOVE

In re PATENT APPLICATION of

Inventor(s) HAN et al.

Appln. No. 09/069,847

series code ↑ ↑ serial no.

Filed: April 30, 1998

Group Art Unit: 1634

Examiner: J. FREDMAN

Atty. Dkt. PM 279151

M#

TITLE: FLUOROMETRIC ASSAY FOR
DETECTING NUCLEIC ACID
CLEAVAGE

Date: February 5, 2004

Name or type of signed paper being transmitted:

Response to Notice of Non-Compliant Amendment Under 37 C.F.R. § 1.121(h)

MESSAGE:

(ATTN: Atty/Sec.: Transmit only one paper herewith. For papers not acceptable by fax, see back side or LAN
Forms Directory PAT-286 Rear. Do not file originals but fasten them in our file (left side) with
this sheet and fax receipt on top. Do NOT send the originals nor a confirmation copy to the PTO.)

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent
and Trademark Office on the date shown below.

Name Thomas A. Cawley, Jr. Sig. TAC Date February 5, 200482137/279151

C# / M#

Attorney Docket: 082137-0279151
Client Reference: HAMY422001

RECEIVED
CENTRAL FAX CENTER

FEB 05 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Confirmation Number: 3819

HAN ET AL.

Application No.: 09/069,847

Group Art Unit: 1634

Filed: April 30, 1998

Examiner: J. FREDMAN

Title: FLUOROMETRIC ASSAY FOR DETECTING NUCLEIC ACID CLEAVAGE

February 5, 2004

**RESPONSE TO NOTICE OF NON-COMPLIANT
AMENDMENT UNDER 37 C.F.R. § 1.121(h)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the official action (notice of non-compliant amendment) mailed on February 2, 2004. The notice of non-compliant amendment indicates that the amendment and response filed on January 16, 2004 did not contain a complete listing of all of the claims, including the text of all pending and withdrawn claims, and that the claims were not presented in ascending numerical order. The applicants believe that the problems identified by the notice result from the applicants' inadvertent failure to note that claims 1 through 65 are cancelled. Accordingly, the applicants attach a new amendment section in compliance with 37 C.F.R. § 1.121.